## REMARKS

Claims 1 and 4-38 are pending in the application. By this Amendment, the title, the specification and claims 1, 4, 9-12, 14, 15, 19-21, 24, 25, 27, 29-35 and 37 are amended and claims 2-3 are canceled without prejudice or disclaimer. Various amendments are made for clarity and are unrelated to issues of patentability.

The Office Action states that the title is not descriptive. It is respectfully submitted that the new title is indicative of the invention to which the claims are directed.

The Office Action objects to claims 33 and 34 because of informalities. It is respectfully submitted that the above amendments obviate the grounds for rejection. Withdrawal of the objection is respectfully requested.

The Office Action rejects claims 1-38 under 35 U.S.C. §103(a) over U.S. Patent 5,835,641 to Sotoda et al. (hereafter Sotoda) in view of U.S. Patent 4,544,064 to Felder. The rejection is respectfully traversed with respect to the pending claims.

Independent claim 1 recites searching a center search line of a photographic screen, and extracting a color average value and a deviation of a photographic object within the photographic screen for each of an upper line and a lower line of the center search line. Independent claim 1 also recites determining a size of photographic object <u>based on the extracted color average value and the extracted deviation for each of the upper line and the lower line</u>, and setting a zoom ratio according to the determined size of the photographic object.

The applied references do not teach or suggest at least these features of independent claim 1. More specifically, the Office Action cites Sotoda's FIGs. 11 and 16 and col. 12, line 49-col. 15, line 6 as teaching extracting a color average value and a deviation of a photographic object within the photographic screen. However, Sotoda does not teach or suggest extracting a color average value and a deviation of a photographic object within the photographic screen <u>for each of an upper line and a lower line of the center search line</u> and determining a size of photographic object based on the extracted color average value and the extracted deviation <u>for each of the upper line and the lower line</u>.

Additionally, the Office Action states (on page 4) that Sotoda does not disclose searching a center search line of a photographic screen. The Office Action then relies on Felder's FIG. 6 and col. 3, line 64-col. 5, line 2. However, the cited sections of Felder relate to a different technology and do not relate to searching a center search line <u>of a photographic screen</u> (as claimed). Rather, the cited section of Felder relates to searching labels of packages moving on a conveyor track. Felder has no teaching for searching a center search line of a photographic screen. Further, even if combined, the combination of Sotoda and Felder does not teach or suggest extracting a color average value and a deviation of a photographic object within the photographic screen for each of an upper line and a lower line of the center search line and determining a size of photographic object based on the extracted color average value and the extracted deviation for each of the upper line and the lower line.

Applicant respectfully submits that there is no motivation to make the combination of

Sotoda and Felder as alleged. The combination is based on impermissible hindsight as the prior

art does not suggest the combination. Also, there is no suggestion for how Sotoda's FIGs. 11

and 16 arrangements may be modified by Felder's technique of scanning coding 36 on a label.

Sotoda's determination circuit 28 may not be simply modified by Felder's video camera 24. The

combination is improper.

For at least these reasons as set forth above, Sotoda and Felder do not teach or suggest all

the features of independent claim 1. Thus, independent claim 1 defines patentable subject

matter.

Independent claim 14 recites searching a plurality of lines of a photographic screen, and

for each of the plurality of lines, extracting a color average value and a deviation of a

photographic object on the photographic screen. Independent claim 14 also recites determining

a size of a photographic object based on the extracted average value and the extracted deviation

for each of the plurality of lines, setting a zoom ratio based on the determined size of the

photographic object and a reference value, and applying the set zoom ratio to the photographic

object.

For at least similar reasons as set forth above, Sotoda and Felder do not teach or suggest

all the features of independent claim 14. More specifically, Sotoda and Felder do not teach or

suggest for each of a plurality of lines, extracting a color average value and a deviation of a

photographic object on the photographic screen and determining a size of a photographic object

based on the extracted average value and the extracted deviation <u>for each of the plurality of lines</u>. Sotoda does not relate to the extracting for each of the plurality of lines. Thus, independent claim 14 defines patentable subject matter.

Independent claim 24 recites searching a first search line of a photographic screen to detect a photographic object, searching an upper search line of the first search line <u>to extract an average value and a deviation</u> of a skin color of the photographic object, searching a lower search line of the first search line <u>to extract an average value and a deviation</u> of a skin color of the photographic object, and determining a size of a face region <u>based on the extracted average value and the extracted deviation of the skin color for the upper search line and based on the extracted average value and the extracted deviation of the skin color for the lower search line</u>.

For at least similar reasons as set forth above, Sotoda and Felder do not teach or suggest all the features of independent claim 24. More specifically, Sotoda and Felder do not teach or suggest searching an upper search line of the first search line to extract an average value and a deviation of a skin color of the photographic object, and searching a lower search line of the first search line to extract an average value and a deviation of a skin color of the photographic object. Sotoda and Felder also do not teach or suggest determining a size of a face region <u>based on the extracted average value and the extracted deviation of the skin color for the upper search line and based on the extracted average value and the extracted deviation of the skin color for the lower search line</u>. Thus, independent claim 24 defines patentable subject matter.

Independent claim 35 recites searching a center search line of a photographic screen in order to detect text, detecting an average value of a stroke thickness of the text by searching upper and lower search lines of the photographic screen, and determining a size of the text based on the detected average value of the stroke thickness of a text.

For at least similar reasons as set forth above, Sotoda and Felder do not teach or suggest all the features of independent claim 35. More specifically, Sotoda does not relate to detecting text. Felder does not teach or suggest searching a center search line of a photographic screen in order to detect text. Therefore, Sotoda and Felder do not teach or suggest detecting an average value of a stroke thickness <u>of the text</u> by searching upper and lower search lines of the photographic screen, and determining <u>a size of the text</u> based on the detected average value of the stroke thickness of a text. Thus, independent claim 35 defines patentable subject matter.

For at least the reasons set forth above, each of independent claims 1, 14, 24 and 35 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

For example, dependent claim 10 recites searching the number of upper and lower search lines comprises performing a line-scanning, and searching lines set with a predetermined gap up and down one line by one line. Dependent claim 21 recites searching the plurality of lines comprises alternatively searching lines with a pre-determined gap up and down one line by one
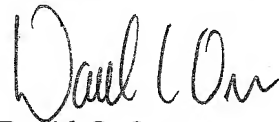
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line. See also dependent claim 29. Sotoda and Felder do not teach or suggest at least these features. Thus, dependent claims 10, 21 and 29 define patentable subject matter at least for this additional reason.

## CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1 and 4-38 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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